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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) No. CR 11-00930 (B) -TJH-MRW  
Plaintiff, )  
v. )  
DAVID ALMOG, ) JOINT STATUS REPORT CONCERNING THE  
DAVID KALAI, and ) COURT-ORDERED MEDICAL EVALUATION OF  
NADAV KALAI, ) DEFENDANT DAVID KALAI AND REQUEST TO  
 ) CONTINUE THE STATUS CONFERENCE FROM  
 ) SEPTEMBER 29, 2014 TO OCTOBER 6, 2014  
Defendants. )  
 ) Status Conference: September 29, 2014  
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Plaintiff, United States of America, through its undersigned counsel of record, and Defendant DAVID KALAI ("D. KALAI"), through undersigned counsel, hereby file Joint Status Report Concerning the Court-Ordered Medical Evaluation Of Defendant David Kalai And

1 Request To Continue September 29, 2014 Status Conference until  
2 October 6, 2014 at 10:00 a.m.

- 3 1. On September 11, 2014, the Court conducted a status conference  
4 to address whether Defendant D. KALAI would retain new counsel.  
5 At the status conference, defendant D. KALAI, through counsel,  
6 requested additional time due to his medical issues to advise  
7 the Court as to his decision regarding representation. After  
8 hearing from counsel for the parties and reviewing a letter  
9 submitted by defendant D. KALAI regarding his medical issues,  
10 the Court determined that it would appoint a medical  
11 professional to make a determination regarding the impact of  
12 defendant's medical conditions on his physical capacity to  
13 stand trial. The Court ordered the parties to confer and  
14 submit a recommendation for the appointment of such medical  
15 doctor to the Court and set a further status hearing for  
16 September 29, 2014.
- 17 2. The parties have contacted several doctors that specialize in  
18 geriatric medicine to obtain their *curriculum vitae* and  
19 determine when, and if, the doctors would be available to  
20 conduct the court-ordered medical evaluation. At the September  
21 11, 2014 status conference the Court expressed a desire to have  
22 the medical evaluation conducted as soon as possible.
- 23 3. At the status conference, defendant D. KALAI also informed the  
24 Court that he had a doctor's appointment scheduled on Monday,  
25 September 15, 2014, and may be scheduled for surgery.
- 26 4. On September 17, 2014, counsel for defendant D. KALAI advised  
27 the government that defendant D. KALAI is scheduled to undergo  
28 surgery the week of September 22, 2014. The parties have

1 conferred and agree that any medical evaluation should take  
2 place after the surgery (and a short period of time for  
3 recovery and for defendant D. KALAI's treating physician to  
4 assess his medical condition) so that the Court can be provided  
5 with the most complete and accurate assessment of defendant D.  
6 KALAI's health and medical prognosis for the near future.

7 5. In light of these recent developments, the parties agree to  
8 file a stipulation and proposed order for the Court's review by  
9 October 3, 2014 with respect to all issues that can be agreed  
10 upon by the parties. If agreement cannot be reached the  
11 parties will each file a recommendation concerning their  
12 proposed medical professional. The additional time to file the  
13 recommendation and/or stipulation will allow the parties to  
14 provide the medical professionals contacted with a more  
15 accurate assessment of D. KALAI's medical condition and a more  
16 accurate time-line for the completion of the medical  
17 evaluation.

18 6. The parties respectfully request that the Court continue the  
19 September 29, 2014 status conference to October 6, 2014 at  
20 10:00 a.m. Given the scheduled surgery, it is unlikely that  
21 the parties will have the necessary information to provide the  
22 Court with a realistic assessment of defendant D. KALAI's  
23 medical condition and availability for evaluation on September  
24 29, 2014. On October 6, 2014, the parties will be in a better

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1 position to discuss the medical evaluation and address any further  
2 scheduling issues regarding the medical evaluation. Mr. Anthony M.  
3 Solis, counsel for defendant NADAV KALAI, has advised government  
4 counsel that he is also available on October 6, 2014 at 10:00 a.m.  
5 for the proposed status conference.

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7 DATED: September 18, 2014

Respectfully submitted,

8 STEPHANIE YONEKURA  
United States Attorney

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10 SANDRA R. BROWN  
Assistant United States Attorney  
Chief, Tax Division

11  
12 /s/

13 CHRISTOPHER S. STRAUSS  
ELLEN M. QUATTRUCCI  
Trial Attorney  
U.S. Department of Justice, Tax  
14 Division

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16 Attorneys for Plaintiff  
UNITED STATES OF AMERICA

17  
18  
19 DATED: September 18, 2014

RICHARD G. NOVAK

20  
21 /s/ with permission EMO  
22 Counsel for DAVID KALAI